G. R. S. 58]

Previous references.
CS 190-14-9.

File No. 212-14

1914. 15
(Courts)

Serial Nos. (1)

Later references.

Preserve
Hodson
31/7/20

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. (1)

Part B for Oct 15

SUBJECT.

Resolution of the Judicial Conference recommending that the minimum lawyer's fee in appeal cases involving immovable properties be fixed at ~~Rs~~ 10/-

1) To the Registrar, Chief Cs & Secy. Jud Conference } J 1344-S dy 2.10.15.

Govt consider that the existing rules need no alteration.

GPB—10,000—23-3-15

H. G. Hood
9.11.15

G. R. S. 11]

1914.15

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 212-14

FILE HEADING.

Resolution of the Judicial Conference recommending that the minimum Lawyer's fee in appeal cases involving immovable properties be fixed at ~~Rs~~ 10/-.

From

No.	Dated	Received
Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—20,500 - 8 S-11

G. R. S. 12]

(7)

General and Revenue Secretariat. | C/6 File No. 212 of 1914-15

Serial No.

17. That in appeal cases where immovable properties are involved the minimum lawyers' fee should not be less than rupees ten.

Read 9/5/1915

W.O.J.55-14

1) Forwarded unofficially to the Registrar, chief court of Mysore, for favour of obtaining the opinion of the Judges of the chief court on the above resolution of the Judicial conference of 1914.

By order
R Srinivasan Jr
for Offg. Secretary to Govt.

15th January 1915

2) OPINION OF THE CHIEF COURT.

The Judges support the resolution. They think ~~present~~ the fee is very low.

H. Nanjundiah
Registrar.

Chief Court of Mysore,
24th February 1915.

24-2-1915.
26

M. 3844/260.

111 Rm. 27/2

NOTE—Contn. sheet.

P. T. C

GPB—25,000—2-11-14

Serial No.

3) Fees in appeal cases are allowed at the same rate as for original suits and the minima for a case in the Chief Court and for one in the Dt or Sub Court are Rs 10/- and Rs 7/- respectively. The resolution therefore amounts to raising the minimum in the Dt Court to Rs 10/- when immovable property is involved.

4) A representation was made in the R.a in 1913 that the minimum in all appeal cases & original suits should be Rs 16/-. The Chief Court were of opinion that the minimum in the Dt & Sub Courts may be raised to Rs 10/- but Govt considered that no change was necessary. Sub to orders.

8/7/15

5) This question has already been considered and the orders of Government was communicated only about 3 months ago in connection with R.A subject. The amendment proposed, if sanctioned, will increase the burden of the clients. It seems of use immaterial for the members plinthar what rate are fixed as minimum by the Courts. Invariably the rate often is a matter of agreement between the lawyer and his client, and rarely depends upon the Court rate. With due deference to the Judges, it must be stated that the present rate cannot be held to be very low, considering the poverty of the client population, and the simple nature

x Page 42+43 Civil Dgt 1st pub. rep.

* Referred in the Proceedings

Please see Ch 190-14 pub rep.

(1)

(2)

(3)

NOTE—Contn. sheet.

GPB—25,000—2-11-14

(14)

G. R. S. 12]

General and Revenue Secretariat.

Cts File No. 212 of 1914

Serial No.

GPB—1,000—19-7-13

(5)

Extract from the Proceedings of the 358th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 25th August 191 5.

8. SUBJECT. - (Clause xiv of the Schedule).

Resolution of the Judicial Conference recommending that the minimum lawyer's fee in appeal cases involving immoveable properties be fixed at Rs.10.

OPINION OF THE COUNCIL.

(9) **The existing orders need no alteration.**

Sd/- M. Visvesvaraya.

Dewan of Mysore.

"E x t r a c t"

D. M. Narasimhaiah

Secretary to Government,
General Department.

G. R. S. 12]

General and Revenue
Secretariat.

CS File No. 212 of 191 4-15

Serial No.

10)

The file contains the Final Note signed by the First Member.

Dewan

Dewan 4/9

1218
6.9.15

P.T.O

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

(7

Submitted to His Highness.

(1) I submit herewith a Final* Note by the First Member of Council regarding a suggestion to raise the minimum lawyers' fees in appeal cases involving immoveable property from Rs.7 to Rs.10 in District and Subordinate Judges' Courts. While the Chief Court* support the resolution of the Judicial Conference in this behalf, the Council are of* opinion that the existing rates need no alteration.

(2) 2. If His Highness approves of the recommendation of the Council, the Chief Court will be informed that no change in the existing rates is called for.

M. Krishnaraja

9th September 1915.

* Page 1 of offic note.

* Page 4 to 9

(8

Final Note by the First Member of Council.

Subject:—

Resolution of the Judicial Conference recommending that the minimum lawyer's fee in appeal cases involving immoveable properties be fixed at Rs. 10.

(3) The Judicial Conference of 1914 recommended that the minimum lawyer's fee in appeal cases involving immoveable properties be fixed* at Rs. 10/- This question was considered when it was mooted in the Representative Assembly of 1913 and an order* was passed that it was unnecessary to change the existing minima.

Page 1 of office notes

* Flag C C/190-14-3.

2. (4) The present minimum in such appeal cases before the Chief Court is Rs. 10/- and the resolution therefore amounts to raising the minimum in District and Subordinate Judges' Courts from Rs. 7 to Rs. 10/- The existing rates cannot be held to be very low considering the poverty of the client population and the simple nature of the litigation here.

5. (5) In many instances lawyers have much less trouble in appeal than in original cases. On the whole I am of opinion that the present minima may be maintained . The Chief Court, however, support the resolution.

4. (6) The matter was considered by the Council who are also of the opinion* that the existing rates need no alteration.

* Page 4 of office notes.

H. Mayne Lindsay

Dated 3/9/15 First Member of Council.

(9

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Resolution of the Judicial Conference recommending that the minimum lawyer's fee in appeal cases involving immoveable properties be fixed at Rs.10/-.

262

Order.

17). ~~KRW~~
20/9/15

Secretary
22.9.15.
Rc
18) Draft.
Rs 24/9

. R. S. 12]
General and Revenue Secretariat.

47

Ch File No. 212 of 1914.

Serial No.	
19)	Draft put up. B. 25/9/15 25/9 25/9 First Member) Draft appd: by First member 28.9.15. 28/10.
20)	Issue 29/9
1	To the Registrar Civil Court The Secy. Judicial Conference. No. J 1344-5 2.10.15 States that, with reference to the Resolution recommending that the minimum limit in appeal cases involving immovable properties be fixed at Rs 10/, the existing rates need no alteration.

NOTE—Contn. sheet.

GPB—25,000—22-3-15

G.R.S. 28]

(11

ab File No. 212-11,
Serial No. 1

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 191 .

READ—

Resolution no 17 of the Judicial Conference held in June 1914 recommending that the minimum lawyer's fee in appeal cases involving immovable

Date of issue 2/10/1915.

Signed by Hr. G. Srinivasa Rao

ORDER THEREON.—No.

properties be fixed at Rs 10/-

Order thereon No. J 1344-5.

Govt consider that the existing rates need no alteration

over.

for Secy

SUBJECT. To the Registrar Chief Court
the Secy, Judicial Conference.

Copy to Press Room.